

Exhibit 4



Federal Aviation Administration

March 18, 2022

TO:
Town of East Hampton
Attn: Peter Van Scoyoc
159 Pantigo Road
East Hampton, NY 11937
pvanscoyoc@ehamptonny.gov

CC:
Andrew Barr
Cooley LLP
1144 15th St. Suite 2300
Denver, CO 80202
abarr@cooley.com

CC:
James Brundige
173 Daniels Hole Road
Wainscott, NY 11975
jbrundige@ehamptonny.gov

**NOTICE OF AIRPORT AIRSPACE ANALYSIS DETERMINATION
ESTABLISH PRIVATE USE AIRPORT
CONDITIONAL NO OBJECTION**

The Federal Aviation Administration (FAA) has conducted an aeronautical study under the provisions of Title 14 of the Code of Federal Regulations, Part 157, concerning:

RE: *(See attached Table 1 for referenced case(s))*

Table 1 - Letter Referenced Case(s)

ASN	Prior ASN	Airport Name	Description	Location	Latitude (NAD83)	Longitude (NAD83)	Airport Elevation (feet)
2022-AEA-415-NRA		East Hampton Town Airport	LAP ASN # 2022-ESA-19-LAP; Establish a new Private Use Airport with the same footprint that HTO had while it was operational (Active). This Private Use airport with a new 4-Alphanumeric Location Identifier will be established/Activated only after HTO is officially Deactivated. The Time frame for Deactivation is 5/17/22, Case 2022-AEA-313-NRA.	East Hampton, NY	40-57-33.90N	72-15-06.00W	54

This private use airport will not be eligible for FAA funded Instrument Flight Procedures (IFPs). Private Use airport sponsors must either enter into a reimbursable agreement with the FAA and pay for all development and maintenance costs associated with new requested special instrument flight procedures, or the airport can work with an FAA approved 3rd party instrument flight procedure developer directly and pay all associated

Case 2:15-cv-02246-JS-ARL Document 91-4 Filed 05/16/22 Page 3 of 5 PageID #: 1391
costs related to development and maintenance costs to that of a third party developer or special instrument flight procedures. In both cases, such developed special IFPs will not be published in FAA publications, nor will they be available to the general public for use. Only those entities specifically authorized by the airport owner will have access to use those special IFPs. The airport operator will provide the IFR procedures to the authorized users.

Based upon data from the prior public-use airport, use of the Gulfstream-IV (Cat D) required a Cat D traffic pattern. No traffic pattern overlaps were discovered with neighboring private-use airports, 49NY, NY03 and 80NY, therefore No Objection.

Any Eastern Service Area (ESA) non-Fed Program Office maintenance oversight for Non-Fed equipment remaining at the Private-Use airport should be deferred to Planning and Requirements - P&R and agreements established as appropriate.

No objection provided the East Hampton Town Airport conduct only VFR operations until appropriately authorized instrument approach procedures are in place. Additionally, even though it will now be a Private-use airport, East Hampton is such a prominent landmark it needs to be kept as a landmark on the appropriate aviation charts and maps.

The licensee, (Town of East Hampton) is required to modify their Airport identifier in their current FCC license's WQPY 735 121.9 MHz Ground, 125.225 MHz Local Tower, and WQWJ 751 118.075M AWOS. Those modifications should be completed as part of an Airport Activation process. No changes to technical parameters or updates are required. In addition, the applicant (Town of East Hampton) should submit an application to the FAA for coordination through the WebFCR process and their modifications should be completed in the FCC Universal Licensing System (ULS).

Please return the Signed 5010 to the FAA indicating you want to proceed with the Activation on May 19th, 2022.

It is recommended that your airport be constructed to the standards identified in FAA Advisory Circular (AC) 150/5300-13, Airport Design (current version). Also, a clear approach slope, as identified in (AC) 150/5300-13 Table 3-2 Approach/Departure Standards, should be established at each runway end. If there are other obstructions that penetrate the approach surface, they should be removed or lowered. If the penetrating obstructions cannot be removed or lowered, we recommend that the thresholds be displaced and appropriately marked, so as to provide a clear approach slope surface to each runway end. Please note that roads are defined as obstructions by 14 CFR Part 77. Private roads are the greater of a 10 foot vertical obstruction or the highest mobile object that normally traverses the road. Public roads are considered a 15 foot obstruction, interstate highways are a 17 foot obstruction, railroads are 23 foot obstructions and waterways are the highest mobile object that traverses the waterway.

Be advised, in accordance with 14 CFR Part 157, any construction, alteration to or abandonment of the subject airport requires notice to the FAA for aeronautical review. Notice for these actions can be given using FAA Form 7480-1, "Notice for Construction, Alteration and Deactivation of Airports". Please refer to Form 7480-1 for triggering events that will require notice.

Provided that the aforementioned conditions are met, our aeronautical study has determined that your proposed private use airport will not adversely affect the safe and efficient use of the navigable airspace by aircraft.

Case 2:15-cv-02246-JS-ARL Document 91-4 Filed 05/16/22 Page 4 of 5 PageID #: 1382
This determination does not constitute FAA approval or disapproval of the physical development involved in the proposal. It is a determination with respect to the safe and efficient use of navigable airspace by aircraft and with respect to the safety of persons and property on the ground. In making the determination, the FAA has considered matters such as the effects the proposal would have on existing or planned traffic patterns of neighboring airports, the effects it would have on the existing airspace structure and projected programs of the FAA, the effects it would have on the safety of persons and property on the ground, and the effects that existing or proposed manmade objects (on file with the FAA) and known natural objects within the affected area would have on the airport proposal.

The FAA cannot prevent the construction of structures near an airport. The airport environment can only be protected through such means as local zoning ordinances, acquisitions of property in fee title or aviation easements, letters of agreements, or other means. This determination in no way preempts or waives any ordinances, laws, or regulations of any government body or agency.

Please complete, sign and date the enclosed Airport Master Record Form and return it to my attention. East Hampton Town Airport is activated and assigned/secured a private use location identifier. Please indicate on the Airport Master Record Form if you desire to have your airport charted. Please be advised that charting of private use airports is not guaranteed. Additionally, if charted, there is no guarantee your airport will remain on FAA published charts. Charting of private use airports relies heavily on landmark value and chart clutter. The inclusion on a chart may take several charting cycles and does not coincide with the issuance of a location identifier. Instructions for completion of the 5010-5 Form can be found online at <https://www.faa.gov> in Advisory Circular (AC) 150/5200-35, "Submitting the Airport Master Record in Order to Activate a New Airport".

In order to avoid placing any unfair restrictions on users of the navigable airspace, this determination is valid until 09/14/2023. Should the airport not be established and the Airport Master Record 5010-5 Form not returned by 09/14/2023, an extension of our determination should be requested in writing by 09/01/2023. Should you not elect to establish the airport, please notify the FAA in writing by 09/01/2023.

Attachment: Airport Master Record 5010 Form



> 1 ASSOC CITY: East Hampton	4 STATE: NY	LOC ID:	FAA SITE NR:
> 2 AIRPORT NAME: East Hampton Town Airport		5 COUNTY: Suffolk	
3 CBD TO AIRPORT (NM): 3 WSW	6 REGION/ADO: AEA/	7 SECT AERO CHT: NEW YORK	

<u>GENERAL</u>		<u>SERVICES</u>	<u>BASED AIRCRAFT</u>
10 OWNERSHIP:	PU	70 FUEL:	90 SINGLE ENG: 1
11 OWNER:	Town of East Hampton		91 MULTI ENG: 2
12 ADDRESS:	159 Pantigo Road		92 JET: 2
	East Hampton NY 11937		
13 PHONE NR:	6313244140		TOTAL: 5
14 MANAGER:	James Brundige		93 HELICOPTERS: 2
15 ADDRESS:	173 Daniels Hole Road		94 GLIDERS: 0
	Wainscott NY 11975		95 MILITARY: 0
16 PHONE NR:	6315371130 X5		96 ULTRA-LIGHT: 0
17 ATTENDANCE SCHEDULE:			

MONTHS DAYS HOURS

		<u>FACILITIES</u>
18 AIRPORT USE:	Private	> 80 ARPT BCN:
19 ARPT LAT:	40-57-33.9000N	> 81 ARPT LGT SKED:
20 ARPT LONG:	72-15-06.0000W	> 82 UNICOM: 0.0
21 ARPT ELEV:	54.9	83 WIND INDICATOR:
22 ACREAGE:	570	84 SEGMENTED CIRCLE:
> 23 RIGHT TRAFFIC:		85 CONTROL TWR: Yes
24 NON-COMM LANDING:		86 FSS:
		87 FSS ON ARPT: NO
		88 FSS PHONE NR:
		89 TOLL FREE NR:

RUNWAY DATA

> 30 RUNWAY IDENT:	10/28	16/34
> 31 LENGTH:	4255	2060
> 32 WIDTH:	100	75
> 33 SURF TYPE-COND:	ASPH	ASPH

LIGHTING/APCH AIDS

> 40 EDGE INTENSITY:	/	/
> 42 RWY MARK TYPE-COND:	/	/

OBSTRUCTION DATA

50 FAR 77 CATEGORY:	/	/
51 DISPLACED THR:	0 / 0	0 / 0
52 CTLG OBSTN:	/	/
53 OBSTN MARKED/LGTD:	/	/
54 HGT ABOVE RWY END:	/	/
55 DIST FROM RWY END:	/	/

(>) ARPT MGR PLEASE ADVISE FSS IN ITEM 86 WHEN CHANGES OCCUR TO ITEMS PRECEDED BY >

111 OWNER/MANAGER SIGNATURE	113 DATE:
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